

## **REMARKS/ARGUMENTS**

In response to the Examiner's Office Action of August 05, 2010 issued in relation to the present Patent Application, the Applicant submits amendments to the claims and the below Remarks.

Claims 1-38 are presented for examination. Claims 1 and 20 are independent claims.

### ***Regarding 35 USC 103 Rejections***

Claims 1, 9-20 and 28-49 are rejected under 35 USC 103(a) as being unpatentable over Dymetman (US 6,330,976) in view of Walker (US 6,527,638).

Claims 2-8 and 21-27 are rejected under 35 USC 103(a) as being unpatentable over Dymetman in view of Walker, and further in view of Bauchot (US 6,229,807).

Claims 39-49 are rejected even though claims 39-49 have been cancelled from the application with the response of May 25, 2010.

The claims have been amended to introduce consistency in terminology used throughout the claims.

Regarding claim 1, Examiner acknowledges on page 3, second paragraph, that Dymetman is silent on enabling transmission of up to a predetermined number of electronic messages from the competition administrator to the entrant.

Col. 2, lines 7-13 and col. 5, lines 45-67 of Walker are relied upon for teaching (c) enabling transmission of up to a predetermined number of electronic messages from the competition administrator to the entrant.

Col. 2, lines 7-13 teaches that the object of the Walker's invention is to provide a remote gaming system by which the player can wager on any one of a plurality of games of chance typically offered by a wagering establishment (e.g., a casino or whatever entity is offering to bet against the player) at the player's convenience. That passage does not even mention messages being transmitted from the competition administrator to the entrant, and certainly not enabling up to a predetermined number of messages.

Col. 5, lines 45-67 teaches "*data communicated between the player and the wagering establishment*". Examiner asserts in the Response to Arguments that "data communicated" is synonymous with "electronic messages between the entrant and the wagering establishment". However, claim 1 defines "enabling transmission of ... electronic messages from the competition administrator to the entrant" whereas, according to Examiner's own admission, Walker's teaching is of communication between the entrant and the wagering establishment. Accordingly, the communication is in the opposite direction. In Walker, all communication is initiated by the entrant.

That passage proceeds to teach communicating a plurality of authenticatable messages between the gaming computer (ie the entrant's computer) and the host computer (at the wagering establishment). Again, the communication is in the opposite direction of the communication defined in claim 1.

Furthermore, in claim 1 "enabling transmission of up to a predetermined maximum number of electronic messages" defines that the number of messages are restricted to the predetermined maximum number. Dymetman in view of Walker fails to teach the same. Examiner is respectfully requested if the rejection is maintained and in the interest of

compact prosecution, to clearly indicate where in the prior art references this feature is taught.

The comments above are equally applicable independent claim 20. Dependent claims 2-19 and 21-38 are allowable for at least the reason of being dependent on an allowable base claim.

#### **CONCLUSION**

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,



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